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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,622	08/30/2001	Kairi Ann Johnston	10017682-1	9262

7590 05/03/2006

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 09/943,622	Applicant(s) JOHNSTON ET AL.	
	Examiner Joseph R. Pokrzywa	Art Unit 2625	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 April 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

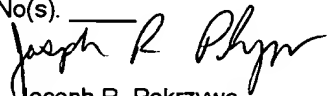
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: _____.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: of the reasons discussed in the attached response.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
 13. ☐ Other: _____.


 Joseph R. Pokrzywa
 Primary Examiner
 Art Unit: 2625

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 3/30/06 have been fully considered but they are not persuasive.

In response to applicant's arguments regarding the rejection of *claim 1*, which was cited in the Office action dated 1/30/06 as being anticipated by Iijima (U.S. Patent Number 6,031,975), whereby applicant argues on page 6 that Iijima fails to teach of a "scanning device" as defined in the specification. Iijima teaches that the client 2 can be loaded with software making it a multiple function device, as read in column 3, lines 49-58. The software includes software (GUI) 131, as seen in Fig. 2B, that comprises a "scanning GUI". With this, the client 2 can be reasonably interpreted as a scanning device, as currently required in the claim. Further, as seen in Fig. 2B, the scanner interface 12 is included within the client 2, which is described in column 4, lines 13-55, whereby "Image data from the paper ...is input via the scanner interface 12". Continuing, the examiner notes that claim 1 currently requires "providing scan data to a host computer interconnected to a scanning device via a server". Thus, the client 2 with the loaded scanning software having a "scanning GUI", as seen in Fig. 2B, can be interpreted as a scanning device, which is connected to a host computer (interpreted as the destination of the facsimile transmission) via a server (interpreted as server 3, as seen in Fig. 1). Continuing, with respect to claim 9, the scanner 5 of Iijima can be interpreted as a "sensing module". Thus, the sensing module (scanner 5) of the scanning device (client 2) scans images and forwards the scanned images to the scanning software in the client 2. Therefore, Iijima can be interpreted as

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teaching that the displaying, the receiving, the scanning and the transmitting are performed by the scanning device and not the server, as currently required in claim 1, as well as having the scanning device comprising an image sensing module for scanning an image or document, where the scanning is used to generate scan data, as currently required in claim 9.

Continuing, in response to applicant's arguments on pages 6 and 7, whereby applicant argues that Iijima fails to teach of displaying a host identifier (ID) for identifying a host computer. While the examiner agrees with applicant, in that the invention described in the specification is different than that of what is described in Iijima, the examiner notes that this difference is not apparent in the current claim language. Broadly and reasonably interpreting the reference of Iijima, one can recognize that the destination facsimile number that is displayed is equivalent to an identifier of a host. This is seen in Fig. 8, whereby the destination telephone number is displayed on the client 2.

Therefore, the rejection of independent **claims 1 and 9**, as well as the corresponding dependent **claims 2, 3, 5, 10, 11, 14, and 15**, as cited in the Office action dated 1/30/06, under 35 U.S.C.102(b) as being anticipated by Iijima (U.S. Patent Number 6,031,975), is maintained. Further, for the same reasons discussed above, the rejection of dependent **claims 4, 16, 19, and 20**, as cited in the Office action dated 1/30/06, under 35 U.S.C.103(a) as being unpatentable over Iijima in view of Lo *et al.* (U.S. Patent Number 5,911,044), is maintained.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2625



jrj